

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2002-092063

08/28/2003

HON. DAVID K. UDALL

CLERK OF THE COURT
E. Smith/J. Carlson
Deputy

IN RE THE MATTER OF
LISA A NOVAK

FILED: 09/11/2003

BRIDGET A HUMPHREY

AND

TODD J NOVAK

TODD J NOVAK
2146 W PLATA AVE
MESA AZ 85202

AG-CHILD SUPPORT-EAST VALLEY
OFFICE
MCSO-OIC
SUPPORT SERVICES-SE

MINUTE ENTRY

Prior to the commencement of hearing, Petitioner's Exhibits 1-8 are marked for identification.

9:51 a.m. This is the time set for Evidentiary Hearing on contempt. Petitioner/Mother, Lisa A. Novak, is present and represented by counsel, Bridget A. Humphrey. Respondent/Father, Todd J. Novak, is present on his own behalf. Diane McGuire is present on behalf of the Attorney General's Office.

A record of the proceeding is made by CD and videotape in lieu of a court reporter.

Lisa A. Novak and Todd J. Novak are sworn.

Discussion is held.

By stipulation of the parties, Petitioner's Exhibits 2-6 are received in evidence.

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THE COURT FINDS that Father had knowledge of the Court order to pay child support, that Father had the ability to pay child support in whole or in part, and that Father willfully failed to pay child support as scheduled.

THE COURT FINDS Father is in contempt of Court for the non-payment of child support.

IT IS ORDERED Father shall be incarcerated in the Maricopa County Jail for an indefinite period of time commencing on August 28, 2003 and shall not be released until the purge amount of \$4,000.00 **in cash** is paid to the sheriff's office or Clerk of Court.

LET THE RECORD REFLECT an Order of Confinement is signed by the Court on August 28, 2003 and issued on August 28, 2003.

IT IS ORDERED that Father is eligible for work furlough from 6:00 a.m. until 8:00 p.m. Monday through Friday.

IT IS ORDERED setting this matter for a review hearing on **SEPTEMBER 26, 2003 at 9:15 a.m.** Diane McGuire shall be allowed to appear telephonically.

IT IS ORDERED that the Court shall take the issue of temporary orders under advisement.

IT IS ORDERED that the Clerk release the exhibits not offered in evidence to counsel and counsel shall take possession of the exhibits.

ISSUED: Exhibit Release Form.

FILED: Exhibit Worksheet.

10:47 a.m. Hearing concludes.

PLEASE NOTE: In order to facilitate any future record review or written transcription, PARTIES/COUNSEL MUST OBTAIN A COPY OF THE PROCEEDINGS for their use at the time of hearing. Parties/counsel who wish to have the proceedings taped for this purpose must provide to the bailiff a blank, unused videotape or CD, in the original wrapper, at least fifteen (15) minutes prior to the hearing. In order to ensure the most reliable record of the proceedings, this system only uses (VHS) (SHG T-120) or equivalent high-density tapes. If the proceedings are scheduled for more than one (1) day, a new tape/CD must be provided to the Bailiff each day.

NOTICE: A child should not be brought to the Courthouse to
Docket Code 020

Form D000C

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be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.